

STATE OF TEXAS §
COUNTIES OF ARANSAS §
SAN PATRICIO AND NUECES §
CITY OF ARANSAS PASS §

On this the 3rd day of April, 2006 the City Council of the City of Aransas Pass convened in a Regular Council Meeting being open to the Public at the regular meeting place thereof in the City Hall and notice of said meeting giving the time, place, date and subject hereof having been posted and prescribed by Chapter 551 of the Texas Government Code with the following attendance to wit constituting a quorum.

PRESENT	Jesus Galvan, Dorothy Roberts, Frank Hametner, Grace Chapa, Jay Attaway,	Mayor Mayor Pro Tempore Council Member Council Member Council Member
ABSENT:	None	
ADMINISTRATIVE PERSONNEL PRESENT:	Scott Thompson, Ada Owens,	City Manager Interim City Secretary
ADMINISTRATIVE PERSONNEL ABSENT:	Allen Lawrence,	City Attorney
STAFF PRESENT:	Gretchen Black, Darren Gurley, Bill Haines	Assistant City Manager Director of Public Works Assistant Police Chief

OTHERS PRESENT: Ralph and Lu Arcemont, Lupe Torres, Don and Jeanie Brummett, Nancy Allen, Ernie Torres, Marilyn and Rick Rimer, Eva Young, Joyce Chandler, Pam Martin, Vickie Abrego, Mike Keller, Karl Lovette, Norm Reyna, Jerry Wellman, Carol Munroe with Progress newspaper, Jay Masterson, Pam Benson, Terry Stansbury, Don McTee, Lisa Burgess with The Herald newspaper, Irene Irey.

(There may have been others present who did not sign in).

ITEM 1. CALL MEETING TO ORDER.

Mayor Galvan called the meeting to Order at 7:01 p.m. on April 3, 2006.

Mayor Galvan recognized Mr. Terry Stansbury, Aransas Pass School Board President in the audience.

ITEM 2. INVOCATION AND PLEDGE OF ALLEGIANCE TO THE UNITED STATES FLAG AND THE TEXAS FLAG.

Council Member Hametner gave the Invocation.

Council Member Chapa led the Pledge of Allegiance to the United States Flag and the Texas Flag.

ITEM 3. CITIZENS COMMENTS.

Ms. Joyce Chandler stated she had lived here all her life and wanted to thank the Aransas Pass Police Department for responding to calls from senior citizens.

Ms. Eva Young also thanked the Police Department however she stated that the Police Department staff have not always responded to her calls when they were very busy. She stated she has had problems with people walking into her garbage cans, loud music, and graffiti at her neighbors house.

Mr. Jerry Wellman stated he lives at 1869 S. Saunders and asked if the City had any long range plans for improving the sewer system. He stated if every lot in the City had a house on it, the wastewater plant could not handle it and now is the time to look to the future.

Ms. Jay Masterson stated she lives at 120 Misty Lane. She stated because of her work in public administration she had a great deal of respect for elected officials. She stated no matter how much citizens disagree there was no excuse for vandalism, threats or intimidation. She stated all public officials standing up for a positive future need to know that those silent, small, working class people like herself would stand with the Council.

ITEM 4.

CONSENT AGENDA – “All of the Following items on the Consent Agenda are considered to be routine by the City Council and will be enacted with one motion. There will be no separate discussion of these items unless a Council Member so requests. If discussion is desired that item will be removed from the Consent Agenda and will be considered separately”.

A. Approval of Minutes of a Regular Meeting of March 20, 2006.

Council Member Hametner made the motion to approve the Consent Agenda with the amendment that the minues of March 20, 2006 include his comments regarding selection of an official newspaper for Aransas Pass. Council Member Attaway seconded the motion and the motion, upon vote carried unanimously.

ITEM 5.

PRESENTATION BY THE MAYOR’S ADVISORY COMMITTEE REGARDING THE CITY PARKS.

Ms. Pam Benson stated she and Mr. Rudy Abrego were members of the Mayor’s Advisory Committee and were before the Council to give the Committee’s suggestions as outlined in the report that she had handed out to the Council.

Mayor Pro Tempore Roberts thanked the Committee and stated they had done a commendable job in noting the deficits in the City parks. She stated she hoped all the organizations in town, the churches, and people in the community could work together and correct the problems in the City parks.

Mayor Galvan stated he agreed and that the Council will look at the 2006-2007 budget and hopefully set aside some funds to work on some of the park projects. He stated he and the Council would leave it to the Committee to decide which parks needed funds.

Council Member Hametner asked when the Committee talked to the public for their report, had they found any bird lovers that would volunteer to keep up the type of habitat needed by hummingbirds at Newbury Park?

Ms. Benson stated that they had not asked that specific question, but that could be a part of the Committee's whole endeavor. She stated the hummingbird park at the Fulton Mansion was run by the Texas Parks and Wildlife Department (TPWD) and the Committee might get information on what to plant to attract hummingbirds from TPWD.

Council Member Hametner stated maybe the City could get the TPWD to run the Hummingbird Park in Newbury Park, if not, the City needs to take the Newbury Hummingbird Park off the Hummingbird Trail list.

Mayor Pro Tempore Roberts suggested the Committee check with the Master gardeners and the Garden Club for information about plants that attract hummingbirds.

Mr. Abrego stated parks play an important in the community. The Public Works Director, Darren Gurley has been very supportive and has been doing what he could to help the Committee, but because of budget constraints Mr. Gurley was not able to do what was needed to enhance City parks.

Mr. Abrego stated the lighting at the Shrimporee Grounds and the Little League ballpark are in very poor condition and need to be repaired and/or replaced. He stated the City needs a Parks and Recreation Director that would not only take care of the parks but promote activities for the parks.

Member Hametner stated if there were health and safety issues with the lights, the City needs to fix them. Discussion regarding safety issues at the City parks followed.

Mayor Galvan stated the Council does hear the citizen's comments but are bound by the City budget and therefore, needed items must be addressed through the budget process.

ITEM 6.

PROLAMATION RECOGNIZING THE BLESSING OF THE FLEET ON MAY 13, 2006.

Mayor Galvan read the Proclamation recognizing the Blessing of the Fleet on May 13, 2006.

ITEM 7.

PUBLIC HEARING ON A REQUEST BY RICHARD AND MARILYN RIMER FOR A CONDITIONAL USE PERMIT TO OPERATE AN OPEN AIR FARMER'S MARKET TO SELL FRESH PRODUCE AND CRAFTS TWO OR THREE DAYS A WEEK.

The City Attorney declared the Public Hearing open at 7:20 p.m. on the request by Richard and Marilyn Rimer for a Conditional Use Permit to operate an open air farmer's market to sell fresh produce and crafts two or three days a week. The property is located on Landblock 239, Lots 1 and 2, being 1160 N. Commercial Street.

The City Attorney stated the Planning and Zoning Commission met on this matter on March 13, 2006 and has recommended approval to the Council for a one-year permit with the condition that the entrance be off of Gile Avenue.

The City Attorney asked if there was anyone present to speak for the request.

Mrs. Marilyn Rimer stated they would sell fresh produce and crafts, not resale. She stated the property would be approximately 90% parking, they would have trash recepticals and the entrance would be at Gile Avenue. She stated they would have more room for parking if it was needed.

Mayor Galvan asked how many vehicles could be parked?

Mrs. Rimer stated approximately 70 vehicles.

Council Member Chapa asked if the revisions Mrs. Rimer was showing the Council had been approved by the Planning and Zoning Commission?

Mrs. River stated yes, the revisions were requested by the Planning and Zoning Commission.

The City Attorney asked if there was anyone present that was opposed to the request. Seeing no one, the City Attorney declared the Public Hearing closed at 7:23 p.m. and suggested the Council also make conditions that the property be kept neat and clean and cars not be parked on easements.

ITEM 8.

CONSIDER A REQUEST BY RICHARD AND MARILYN RIMER FOR A CONDITIONAL USE PERMIT TO OPERATE AN OPEN AIR FARMER'S MARKET TO SELL FRESH PRODUCE AND CRAFTS TWO OR THREE DAYS A WEEK.

Council Member Hametner made the motion to untangle Item 8. There was a second by Council Member Attaway and the motion carried unanimously.

Council Member Hametner made the motion that the request of Richard and Marilyn Rimer for a Conditional Use Permit to operate an open air farmer's market to sell fresh produce and crafts two or three days a week be approved. There was a second by Council Member Chapa and the motion carried unanimously.

ITEM 9.

MUNICIPAL COURT STATUS REPORT AND CONSIDERATION OF RECOMMENDATIONS.

The City Manager stated he had asked the Assistant City Manager to evaluate and make recommendations with regard to the Municipal Court which Ms. Black manages, particularly in regard to the pay of the Judges.

The City Manager stated the primary Judge's (Judge Peggy Spencer) current salary is \$1,666.00 per month and the part-time Judge (Judge Mike Sullinger) is paid \$1,000.00 per month plus \$876.00 per month in health insurance benefits which totals \$1,876.00 per month. The presiding judge works on a full time basis and the part-time Judge works two weekends per month. He stated the Assistant City Manager's recommendation was to pay the presiding Judge \$2,416.00 per month for working Monday through Friday mornings and two weekends per month and Judge Sullinger be paid \$250.00 per month for working two weekends per month and retain health insurance benefits of \$876.00. The recommendation for the prosecuting attorney, Mr. Dan Daily, was to pay him a retainer of \$1,000.00 per month.

After discussion Mayor Pro Tempore Roberts made the motion to accept the Assistant City Manager's recommendation to pay the presiding Judge \$2,416.00 per month and the part-time Judge \$250.00 per month plus health insurance benefits. A second was made by Council Member Attaway and the motion was defeated with Mayor Pro Tempore Roberts and Council Member Attaway voting yes and Council Member Chapa, Council Member Hametner, and Mayor Galvan voting no.

Council Member Chapa made the motion to leave the presiding Judge's pay at \$1,666.00 per month and change the part-time Judge's pay to \$250.00 plus health insurance benefits. Council Member Hametner seconded and the motion carried unanimously.

Council Member Hametner made the motion to pay the prosecuting attorney a retainer of \$1,000.00 per month. There was a second by Mayor Pro Tempore Roberts and the motion carried unanimously.

ITEM 10

CONSIDER A RESOLUTION APPROVING A PERSONNEL POLICY FOR THE CITY OF ARANSAS PASS.

The City Manager stated the main thing the Council needed to discuss was the City paying health insurance benefits for retirees.

The Assistant City Manager stated the major changes were exchanging the floating holiday for Good Friday, the procedures for paying overtime for holidays to Police and Fire Departments, an additional tier for vacation pay (10-14 years), and retiree insurance.

After discussion, Mayor Pro Tempore Roberts made the motion to adopt a Resolution approving a Personnel Policy for the City of Aransas Pass with the noted changes of paying 50% of employees health insurance benefit when retiring at 60 years of age with 20 consecutive years of employment with the City of Aransas Pass and omitting the change that would add an extra tier (10-14 years) to employee's vacation time. Council Member Hametner seconded the motion and the motion carried unanimously.

ITEM 11.

CONSIDER AN AGREEMENT BETWEEN THE SAN PATRICIO MUNICIPAL WATER DISTRICT AND THE CITY OF ARANSAS PASS CONCERNING THE INITIAL DISTRIBUTION SYSTEM EVALUATION, PURSUANT TO THE AUHORITY GRANTED AND IN COMPLIANCE

**WITH THE PROVISIONS OF THE INTERLOCAL COOPERATION
ACT, CHAPTER 791, TEXAS GOVERNMENT CODE.**

The City Manager stated the agreement was a culmination of cities that will group together to do water testing required by the State which will save the cities money.

Council Member Hametner made the motion to accept the agreement between the San Patricio Water District and the City of Aransas Pass concerning the Initial Distribution System Evaluation, pursuant to the authority granted and in compliance with the provisions of the Interlocal Cooperation Act, Chapter 791, Texas Government Code. Mayor Pro Tempore Roberts seconded the motion and the motion carried unanimously.

ITEM 12.

**CONSIDER A REQUEST FOR PROPOSALS FOR BANKING
SERVICES.**

Mayor Pro Tempore Roberts made the motion to request proposals for banking services. Council Member Chapa seconded the motion and the motion carried unanimously.

ITEM 13.

ITEM 18.

ADJOURNMENT OF MEETING.

Mayor Galvan adjourned the meeting at 8:01 p.m.

Jesus Galvan, Mayor

ATTEST:

Ada Owens, Interim City Secretary